# MICHIGAN HOUSE OF REPRESENTATIVES

# DAILY CALENDAR

WEDNESDAY, OCTOBER 1, 1997 2:00 p.m.

#### REPORTS OF STANDING COMMITTEES THIRD READING \_\_\_\_ 5 \_\_\_\_ HB 4147 Rep. Kelly **HCR** 58 Rep. Prusi A concurrent resolution to disapprove Executive Order Transportation; funds; transfers of funds from the 1997-12 on executive reorganization. Michigan transportation fund to agencies other than the (Reported by Committee on Labor and Occupational state transportation department or commission; eliminate. Safety.) Amends sec. 10 of 1951 PA 51 (MCL 247.660). (For text of resolution, see House Journal No. 70, (Reported by Committee on Transportation.) p. 1912.) (For House amendments, see House Journal No. 21, (Rule suspended; postponed temporarily September p. 353.) — 2 — HCR 59 Rep. Griffin HB 4280 Rep. Fitzgerald A concurrent resolution to disapprove Executive Order Vehicles; equipment; failure to wear safety belt; establish 1997-13 on executive reorganization. as primary offense and remove certain condition on child (Reported by Committee on Health Policy.) restraints. (For text of resolution, see House Journal No. 71, Amends secs. 710d & 710e of 1949 PA 300 (MCL p. 1943; laid over 1 day September 30.) 257.710d & 257.710e). (Reported by Committee on Transportation.) (Read a third time; defeated; motion to reconsider; MESSAGES FROM THE SENATE postponed for day May 8.) (For House amendments, see House Journal Nos. 31 and 40, pages 588 and 804.) \_\_\_ 3 \_\_\_\_ HB 4642 Rep. Profit Sales tax; exemptions; fuel used in pipeline compressors; HB 4741 Rep. Galloway Amends sec. 4a of 1933 PA 167 (MCL 205.54a). Vehicles; rentals; rental transaction fee; provide for. (Returned from Senate with substitute (S-8) and im-Amends title of 1949 PA 300 (MCL 257.1 - 257.923) & mediate effect; laid over 1 day July 9.) adds sec. 831. (I.E. House, June 5, 1997.) (Reported by Committee on Transportation.) (I.E. Senate, July 9, 1997.) (Read a third time; amended; postponed for day June (For House amendments, see House Journal No. 51, 24.) p. 1108.) (For House amendments, see House Journal Nos. 46 (For Senate substitute (S-8), see Blue Book.) and 59, pages 987 and 1379.) - 4 — HB 4643 Rep. Perricone Use tax; exemptions; fuel used in pipeline compressors; HB 4304 Rep. Baird exempt. Amends sec. 4 of 1937 PA 94 (MCL 205.94). Income tax; credit; donations to arts and education facili-

ties or organizations; provide for credit.

p. 1932.)

(Reported by Committee on Tax Policy.)

(For House substitute (H-2), see Blue Book.)

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding

(For House amendments, see House Journal No. 71,

\*Appropriation Bill—House Rule 49.

(Returned from Senate with substitute (S-5) and im-

(For House amendments, see House Journal No. 52,

(For Senate substitute (S-5), see Blue Book.)

mediate effect; laid over 1 day July 9.) (I.E. House, June 5, 1997.) (I.E. Senate, July 9, 1997.)

†Constitution, Art. IV, Sec. 26. #House Rule 49.

p. 1129.)

# SECOND READING — 9 ——— **\*HB 4425** Rep. Hood Appropriations; zero budget; department of community health; provide for fiscal year 1997-1998. (Reported by Committee on Appropriations.) (For proposed House substitute (H-2), see Blue Book.) **HB** 4396 Rep. Mathieu Liquor; licenses; certain persons owning or operating gas station convenience stores; revise criteria for granting Amends sec. 28c of 1933 (Ex Sess) PA 8 (MCL 436.28c). (Reported by Committee on Commerce.) - 11 -----**HB** 4463 Rep. Willard Income tax; credit; dependent care credit; provide for. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 266. (Reported by Committee on Tax Policy.) (For proposed House amendment, see House Journal No. 24, p. 446.) \_\_\_\_ 12 \_\_\_\_\_ 340 Sen. Emmons State; escheats; uniform unclaimed property act; provide for technical amendments. Amends secs. 11, 18, 19, 20, 23, 25 & 31 of 1995 PA 29 (MCL 567.231 et seq.) & repeals sec. 43 of 1995 PA 29 (MCL 567.263). (Reported by Committee on Tax Policy.) (Read a second time; amended; amendment offered; postponed for day May 14.) (For House amendment, see House Journal No. 36, p. 728.) (For proposed House amendments, see House Journal No. 42, p. 889.) **HB** 4582 Rep. Gire Consumer credit and protection; other; procedures for awarding certain prizes or gifts; allow certain state and local officials to enforce. (Reported by Committee on Regulatory Affairs.) \_\_\_\_ 14 \_\_\_\_\_\_ **HB 4583** Rep. Law Consumer credit and protection; other; procedures for awarding certain prizes or gifts; establish and provide (Reported by Committee on Regulatory Affairs.) (For proposed House amendment, see House Journal No. 37, p. 749.)

## **HB** 4757 Rep. Leland

Insurance; no-fault; reduction of certain auto insurance rates under certain circumstances; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

(Reported by Committee on Insurance.)

(For proposed House amendments, see House Journal No. 43, p. 921.)

#### SECOND READING

<del>-----</del> 16 <del>------</del>

SB 133 Sen. Cisky

Liquor; manufacture; eligibility of breweries for claiming a credit; revise.

Amends sec. 40 of 1933 (Ex Sess) PA 8 (MCL 436.40). (Reported by Committee on Regulatory Affairs.)

SB 227 Sen. Bouchard

Occupations; architects, professional engineers, and surveyors; definition of firm; include limited liability company.

Amends sec. 2001 of 1980 PA 299 (MCL 339.2001). (Reported by Committee on Regulatory Affairs.)

SB 228 Sen. Bouchard

Businesses; limited liability; nonlicensed members of limited liability company offering professional services; permit architects, professional engineers, and land surveyors to form a professional limited liability company if 2/3 of the members are licensed.

<del>-----</del> 18 ------

Amends sec. 904 of 1993 PA 23 (MCL 450.4904).

(Reported by Committee on Regulatory Affairs.) (For Senate amendment, see Senate Journal No. 29, p. 416.)

\_\_\_\_\_ 19 \_\_\_\_\_\_

**HB 4669** Rep. Profit

Single business tax; credit; credit for restoration of historical site; provide for.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 39c.

\_\_\_\_\_ 20 \_\_\_\_\_

(Reported by Committee on Tax Policy.) (For proposed House substitute (H-2), see Blue Book.)

SB 57 Sen. Smith

Corrections; prisoners; uniforms; require. Amends sec. 42 of 1893 PA 118 (MCL 800.42).

(Reported by Committee on Corrections.) (For Senate substitute (S-8), see Blue Book.)

SB 414 Sen. Bouchard

Businesses; other; Michigan business corporation act; amend

Amends secs. 132, 151, 209, 212, 217, 302, 303, 336, 344, 345, 404, 415, 421, 472, 489, 491a, 528, 551, 564a, 564b, 567, 602, 611, 631, 641, 701, 703a, 706, 707, 712, 724, 735, 751, 753, 762, 801, 805, 817, 842a, 855a, 1011, 1041, 1042 & 1062 of 1972 PA 284 (MCL 450.1132 et seq.); adds secs. 406, 488 & 736 & repeals secs. 368 & 463 of 1972 PA 284 (MCL 450.1368 & 450.1463).

(Reported by Committee on Commerce.) (For Senate substitute (S-1), see Blue Book.)

## SECOND READING

#### **HB** 4210 Rep. Wetters

Vehicles; equipment; ignition interlock device; require installation of in vehicles of certain individuals.

Amends secs. 204a, 322, 625b, 625h, 625k & 625*l* of 1949 PA 300 (MCL 257.204a et seq.) & adds secs. 622a, 625n, 625o & 625p.

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-6)\*, see Blue Book.)

\_\_\_\_ 23 \_\_\_\_\_

#### HB 4855 Rep. Profit

Sales tax; exemptions; certain prepackaged food sold at theaters; exempt from sales tax.

Amends sec. 4g of 1933 PA 167 (MCL 205.54g).

(Reported by Committee on Tax Policy.)

—— 24 ——

#### SB 19 Sen. DeGrow

Natural resources; shorelands; construction requirements; modify.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 32312a.

(Reported by Committee on Conservation, Environment and Recreation.)

(For Senate substitute (S-1), see Blue Book.)

\_\_\_\_ 25 \_\_\_\_

#### SB 444 Sen. Stille

Recreation; other; adopt-a-trail program; create.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 72105a.

(Reported by Committee on Conservation, Environment and Recreation.)

(For Senate substitute (S-1), see Blue Book.)

\_\_\_\_ 26 \_\_\_\_

## HB 4561 Rep. Brown

Income tax; credit; land designated as a floodplain; provide credit for purchase of flood insurance.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 266.

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

#### **HB** 4672 Rep. Profit

Aeronautics; other; fuel tax rebate; expand provision to include air cargo carriers.

Amends sec. 203 of 1945 PA 327 (MCL 259.203).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-2), see Blue Book.)

**—** 28 **—** —

## HB 4163 Rep. Dalman

Sales tax; exemptions; materials used to construct or repair a church or house of worship; exempt.

Amends sec. 1 of 1933 PA 167 (MCL 205.51).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

#### SECOND READING

— 29 ——

#### **HB** 4743 Rep. Profit

Use tax; exemptions; property sold to contractor for remodeling or construction of a church; provide for exemption.

Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 4m.

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

\_\_\_\_ 30 \_\_\_\_\_

# HB 4284 Rep. Walberg

Vehicles; motorcycles; crash helmets; require on riders under certain circumstances.

Amends sec. 658 of 1949 PA 300 (MCL 257.658).

(Reported by Committee on Transportation.)

(For proposed House amendment, see House Journal No. 58, p. 1343.)

\_\_\_\_\_ 31 \_\_\_\_\_

#### SB 262 Sen. Gougeon

Occupations; construction; persons constructing a natural gas pipeline or facility; establish a professional code of conduct.

Amends 1929 PA 16 (MCL 483.1 - 483.11) by adding secs. 2a & 2b.

(Reported by Committee on Regulatory Affairs.)

(For Senate amendment, see Senate Journal No. 34, p. 500.)

\_\_\_\_\_ 32 \_\_\_\_\_

## SB 408 Sen. Hoffman

Occupations; barbers; barbershop practices, operation, and pricing act; repeal.

Repeals 1941 PA 309 (MCL 338.651 - 338.662).

(Reported by Committee on Regulatory Affairs.)

\_\_\_\_ 33 \_\_\_\_\_

## HB 4152 Rep. Quarles

Income tax; deductions; deduction for certain health insurance premiums; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30) & repeals secs. 30a, 30b & 30c of 1967 PA 281 (MCL 206.30a et seq.).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-4), see Blue Book.)

## HB 4204 Rep. Schroer

Property; other; information regarding under-surface minerals and mineral rights; require to be disclosed under seller disclosure law.

Amends sec. 7 of 1993 PA 92 (MCL 565.957).

(Reported by Committee on Forestry and Mineral Rights.)

(For proposed House substitute (H-2), see Blue Book.)

## SECOND READING — 35 —— **HB** 4535 Rep. Griffin Occupations; architects, professional engineers, and surveyors; certain individuals preparing interior design; exempt from licensure under certain circumstances. Amends sec. 2012 of 1980 PA 299 (MCL 339.2012). (Reported by Committee on Regulatory Affairs.) (For proposed House substitute (H-2), see Blue Book.) — 36 — HB 4923 Rep. Brater State; symbol; dwarf lake iris; establish as state wildflower. (Reported by Committee on Regulatory Affairs.) \_\_\_\_\_ 37 \_\_\_\_\_ SB 374 Sen. Byrum Civil rights; handicapper discrimination; references to handicapped persons; change to persons with disabilities. Amends secs. 102 & 304b of 1991 PA 179 (MCL 484.2102 & 484.2304b). (Reported by Committee on Constitutional and Civil Rights.) (For proposed House substitute (H-1), see Blue Book.) <del>\_\_\_\_</del> 38 <del>\_\_\_\_\_</del> **HB** 4719 Rep. Griffin Liquor; manufacture; microbrewers; allow to obtain class C license under certain circumstances. Amends sec. 31 of 1933 (Ex Sess) PA 8 (MCL 436.31). (Reported by Committee on Commerce.) (For proposed House substitute (H-1), see Blue Book.) 277 Sen. Schwarz SB State; bonds; state building authority act; increase bond Amends sec. 8 of 1964 PA 183 (MCL 830.418). (Reported by Committee on Appropriations.) \_\_\_\_\_ 40 \_\_\_\_\_ HB 4889 Rep. Brater Financial institutions; other; fee disclosure for automatic teller machines; require. Amends 1996 PA 354 (MCL 487.3101 - 487.3804) by adding sec. 513. (Reported by Committee on Commerce.) (For proposed House substitute (H-5), see Blue Book.) — 41 — $\mathbf{HB}$ **4890** Rep. Thomas Financial institutions; banks; fee disclosure for automatic teller machines; require. Amends 1969 PA 319 (MCL 487.301 - 487.598) by adding sec. 247. (Reported by Committee on Commerce.) (For proposed House substitute (H-5), see Blue Book.) **HB** 4891 Rep. Brater

Financial institutions; credit unions; fee disclosure for

Amends 1925 PA 285 (MCL 490.1 - 490.31) by adding

(For proposed House substitute (H-5), see Blue Book.)

(Reported by Committee on Commerce.)

automatic teller machines; require.

sec. 32.

## SECOND READING

— 43 ———

**HB** 4892 Rep. Thomas

Financial institutions; savings and loan associations; fee disclosure for automatic teller machines; require.

Amends 1980 PA 307 (MCL 491.102 - 491.1201) by adding sec. 1135.

(Reported by Committee on Commerce.)

(For proposed House substitute (H-5), see Blue Book.) 

HB 4893 Rep. Thomas

Financial institutions; other; fee disclosure for automatic teller machines; require.

(Reported by Committee on Commerce.) (For proposed House substitute (H-5), see Blue Book.)

**HB** 4447 Rep. Hanley

Townships; charter; signature requirement to file for election to the board of a charter township; eliminate.

Amends sec. 4 of 1947 PA 359 (MCL 42.4).

(Reported by Committee on Local Government.)

<del>------ 46 -------</del> **HB** 4452 Rep. Prusi

> Natural resources; fishing; ice shanty removal dates; revise and authorize extension of by order.

> Amends secs. 46503, 46506, 46507 & 46508 of 1994 PA 451 (MCL 324.46503 et seg.).

> (Reported by Committee on Conservation, Environment and Recreation.)

SB 495 Sen. Hoffman

Businesses; limited liability; BIDCO; allow licensure of a limited liability company.

Amends secs. 102, 104, 105, 106, 211, 217, 301, 303, 305, 311, 315, 317, 401, 403, 405, 407, 503, 505, 507, 509, 511, 601, 603, 709, 711, 713, 801, 807 & 813 of 1986 PA 89 (MCL 487.1102 et seq.).

(Reported by Committee on Commerce.) (For Senate substitute (S-1), see Blue Book.)

**HB** 4585 Rep. Hanley

Local government; public services; conflict of interest for municipal employees who apply for federal grants or loans: require.

Amends sec. 3 of 1968 PA 317 (MCL 15.323) & repeals secs. 9 & 10 of 1968 PA 317 (MCL 15.329 & 15.330).

(Reported by Committee on Local Government.) (For proposed House substitute (H-1), see Blue Book.)

**HB** 4951 Rep. Hammerstrom

Elections; polling places; precinct selection inspectors; allow a person who is 17 be appointed.

Amends sec. 677 of 1954 PA 116 (MCL 168.677).

(Reported by Committee on Local Government.) (For proposed House substitute (H-1), see Blue Book.)

#### MESSAGES FROM THE GOVERNOR

— 50 —

#### **HB** 4052 Rep. Anthony

Retirement; state police; retirement benefits for certain conservation officer retirants and beneficiaries of those retirants; provide for a minimum benefit and a 1-time supplement under certain circumstances and increase the minimum duty death retirement allowances under certain circumstances.

Amends sec. 27, 1943 PA 240 (MCL 38.27) & adds secs. 48a & 48b.

(Vetoed by Governor on July 1; passed for day July 2.)

(For veto message, see House Journal No. 63, p. 1570.)

— 51 ——

## HB 4306 Rep. Johnson

Appropriations; community health; department of community health; provide for fiscal year 1997-1998.

(Line items vetoed by Governor on July 31; passed for day September 23.)

(For line items veto message, see House Journal No. 70, p. 1908.)

— 52 —

## HB 4310 Rep. Oxender

Appropriations; school aid; school aid appropriation; provide for fiscal year 1997-1998.

Amends secs. 3, 6, 6a, 11, 17b, 20, 20c, 20d, 23, 24, 25, 26, 31a, 36, 39, 41, 51a, 52, 53a, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 99, 101, 107, 111, 124, 147, 151, 167 & 169a of 1979 PA 94 (MCL 388.1603 et seq.); adds secs. 20k, 26a, 31b, 31c, 67, 68, 112, 166d & 166e & repeals secs. 11b, 20h, 20i, 95 & 108 of 1979 PA 94 (MCL 388.1611b et seq.) & 1974 PA 97 (MCL 388.1311 - 388.1319).

(Line items vetoed by Governor on August 1; motion to override section 31(a) failed; balance of line items passed for day September 23.)

(For line items veto message, see House Journal No. 70, p. 1909.)

## **PUBLIC HEARINGS**

**Committee on Appropriations Subcommittee on Gas Price -** Monday, October 6, 1:00 p.m., City County Auditorium, Detroit, Michigan, regarding gas prices

**Committee on Colleges and Universities -** Friday, October 3, 10:00 a.m., University of Michigan-Flint, Harding Mott University Center, Michigan Rooms A and B, 303 East Kearsley, Flint, Michigan, regarding Michigan's Financial Aid Programs

**Committee on Corrections -** Monday, October 6, 4:30 p.m., Jackson County Road Commission, 2400 Elm Road, Jackson, Michigan, regarding crime prevention and the social and economic causes of crime

#### **NOTICES**

Motion to discharge **House Joint Resolution W** from the Committee on Constitutional and Civil Rights by Rep. Kaza passed for day July 2.

Motion to discharge **Senate Bill No. 356** from the Committee on Constitutional and Civil Rights by Rep. Gilmer passed for day September 24.

Motion to discharge **Senate Bill No. 648** from the Committee on Public Retirement by Rep. Rhead passed for day September 24.

#### STANDING COMMITTEE MEETINGS

**Agriculture -** Thursday, October 9, 8:30 a.m., Room 424, Capitol Building

**Appropriations -** Wednesday, October 1, 10:00 a.m., Room 351, Capitol Building

**Conservation, Environment and Recreation -** Wednesday, October 8, 10:30 a.m., Rooms 425 and 426, Capitol Building

**Consumer Protection -** Wednesday, October 1, 9:00 a.m., Room 427, Capitol Building

**Subcommittee on Nursing Home Quality -** Monday, October 13, 3:00 p.m., Room 428, Capitol Building

#### **Education -**

**Subcommittee on High School Proficiency Test** - Wednesday, October 1, 12:00 Noon, Room 424, Capitol Building

**Forestry and Mineral Rights -** Tuesday, October 7, 10:30 a.m., Rooms 425 and 426, Capitol Building

## House Oversight and Ethics -

**Subcommittee on Sale of the Michigan Biological Products Institute -** Tuesday, October 7, 3:00 p.m. or after committees are given leave by the House to meet, whichever time is later, Room 428, Capitol Building

**Human Services and Children -** Wednesday, October 1, 12:00 Noon, Rooms 425 and 426, Capitol Building

**Local Government -** Tuesday, October 7, 9:00 a.m., Room 424, Capitol Building

**Mental Health -** Wednesday, October 1, 12:00 Noon, Rooms 425 and 426, Capitol Building

## STANDING COMMITTEE MEETINGS

**Public Retirement -** Thursday, October 9, 8:30 a.m., Room 427, Capitol Building

**Tax Policy -** Wednesday, October 1, 9:00 a.m., Room 428, Capitol Building

**Tourism -** Wednesday, October 8, 9:00 a.m., Rooms 425 and 426, Capitol Building

**Transportation -** Wednesday, October 1, 3:00 p.m. or after committees are given leave by the House to meet, whichever time is later, Room 428, Capitol Building

## STATUTORY COMMITTEE MEETINGS

**Legislative Council -** Thursday, October 30, 12:30 p.m., Rooms 402 and 403, Capitol Building

**Legislative Retirement -** Wednesday, October 8, 12:00 Noon, Elijah Myers Room, Second Floor, Capitol Building

**Subcommittee on Insurance Issues -** Wednesday, October 1, 3:30 p.m., Room 601, Romney Building

**Michigan Trial Court Assessment Commission -** Fridays, October 10 and October 17, 10:00 a.m., 8th Floor Conference Room, Farnum Building

		BILLS IN CONFERENCE Conferees		Report Agreed to	
Bill No.	Brief Title	House	Senate	House	Senate
SB 174	Appropriations; transportation	Harder Stallworth Jellema	Hoffman DeGrow O'Brien		